

## **Bella Vista City Council Regular Meeting Minutes – October 26, 2015 6:30PM**

**Call to Order:** Mayor Christie called the meeting to order at 6:30PM

**Invocation** was given by Reverend Bryan Fink

**Pledge of Allegiance** was let by Mayor Christie

**City Clerk Jertson** called the role of Council: Alderman Morgan, Flynn, Anderson, King, & Wozniak were present. Alderman Wilson was absent.

**Citizen Input:** The following individuals spoke to the Council;

Doug Farner, 6 Hartford Lane, Bella Vista spoke in favor of the Millage increase for additional funds dedicated to the streets.

Bryan Banks, 38 Kensington Dr, Bella Vista spoke in favor of the Millage increase and showed some photos of the roads in his neighborhood as example of the need for improvement. He urged passage.

Linda Lloyd, 102 Fairway in Bella Vista also spoke in favor of the increased Millage as providing much needed street improvement. As a Realtor she said the condition of the roads can be a drawback for potential buyers looking at property in Bella Vista. Additional work is needed right now.

Anna Tallant, 9 Musselburgh Ln, Bella Vista spoke to the Council about the Sign Ordinance as it pertains to Garage Sale signs. She felt it was unfair to residents to limit garage sale signs to five. She feels that with the layout of Bella Vista it is very difficult to direct people to a property with only 5 signs. She also questioned the info needed on the signs. She asked that the Council look at this issue.

Bob Schmidt, 4 Jedburgh Lane, Bella Vista spoke about the need for guard rails or cable barriers on many of the streets and roads in Bella Vista. He felt that this causes unsafe conditions on many roadways. He said that having brought this issue up before the Council in the past he had hoped that something would have been done to improve this situation. The Mayor did explain to him that 340 & 279 are State roads and that he had talked with them about the issue but had heard no response.

**Approval of the Minutes** from the Council's September 28, 2015 meeting was next on the agenda. A motion to approve was made by Alderman Anderson, seconded by Alderman King. Motion carried by a vote of 5 ayes, 0 nays.

**Mayors Report:** Mayor Christie then gave the financial report for September. He showed charts and explained them to the public.

### **Notes to September Financial Charts**

#### **Revenue**

1. General Operating Account \$29 F
2. Street Department \$210K U
  - a. Planned transfer of \$200K from Operating Account was not required.

#### **Expenses**

1. General Operating Account \$64K F

- a. Police - \$143K U (New Tahoes - Timing);
- b. Administration -\$241< U – Purchase of new electronic filing system called Mfiles – Timing)
- c. Capital Projects - \$23K F
- d. Transfer to Streets - \$2001< F
- 1. Streets Department \$67K U
  - a. Equipment greater than \$1000 - \$SOK U – Purchase of a new emulsion tank to store liquids used for street patching (rented in previous years)

**Reserve \$8.6M (Was \$8.7 in August)**

**Net Income YTD \$2.4M (Was \$2.6 in August)**

**Legend**

F = Favorable actuals to budget

U = Unfavorable actuals to budget

**A Motion to Suspend the Rules** and read all Ordinances and Resolutions by Title only was made by Alderman King, seconded by Alderman Flynn. Roll Call Vote taken, Ayes: 5, Nays: 0 passed.

The first Ordinance was read by Mayor Christie.

**ORDINANCE NO 2015-24-** AMENDING THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO MODIFY THE HOURS OF PERMISSIBLE DOOR-TO-DOOR SOLICITATION TO BRING PROVISIONS WITHIN CONSTITUTIONAL LIMITS. Third Reading. *Motion by Alderman Anderson to approve, seconded by Alderman Wozniak. Roll Call vote, Ayes: 5, Nays: 0 Adopted.*

**ORDINANCE NO 2015-25-** AMENDING SECTION 6-2 OF THE CODE OF ORDINANCES OF THE CITY OF BELLA VISTA TO MODIFY THE REFERENDUM PERIOD FOR ORDINANCES TO SIXTY (60) DAYS FOR ALL NON-BOND ISSUE ORDINANCES AND THIRTY (30) DAYS FOR ALL BOND ISSUE ORDINANCES, DECLARING AND EMERGENCY, AND FOR OTHER PURPOSES. Third Reading. Motion to approve was made by Alderman Anderson, seconded by Alderman Wozniak. Roll Call vote, Ayes: 5, Nays: 0. Ordinance adopted. At this point a motion was made by Alderman Anderson, seconded by Alderman Wozniak to adopt Emergency Clause to make the Ordinance effective immediately. Roll call vote passed by Ayes: 5, Nays: 0. Ordinance is in effect.

**ORDINANCE NO 2015-26-** AUTHORIZING BORROWING OF AN AMOUNT NOT TO EXCEED \$2,400,000.00 PURSUANT TO ARKANSAS CONSTITUTIONAL AMENDMENT 78 FOR THE FINANCING OF THE NEW STREET DEPARTMENT FACILITY ALONG WITH VARIOUS CAPITAL ASSETS INCLUDED THEREIN BY ISSUANCE OF A PROMISSORY NOTE; PROVIDING FOR SECURITY FOR THE REPAYMENT OF THE PROMISSORY NOTE; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THE NOTE; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES. The Mayor explained why this borrowing will help the city to complete all phases of this project and protect some of the city's available capital. The favorable cost of this financing makes this a very positive situation for the city. Alderman Wozniak said he wanted to see all things put in now and not done piecemeal. Alderman Flynn also talked about the favorable interest rate of 1.825% so this is a very good time to do this. A motion to suspend the rules and waive three readings and read by title only was made by Alderman King, seconded by Alderman Flynn. This was

carried by a 5- 0 vote. The Mayor then read the Ordinance title for a final time. Then a motion to adopt the Ordinance was made by Alderman Wozniak, seconded by Alderman Morgan. Vote of 5 ayes, 0 nays. Ordinance is adopted. Alderman Anderson then made a motion to adopt Emergency Clause, seconded by Alderman Wozniak. Roll call vote of 5 ayes, 0 nays. Ordinance is in effect.

**RESOLUTION R2015-64-** AUTHORIZING AND LEVYING THE MILLAGE RATE OF AD VALOREM REAL AND PERSONAL PROPERTY TAX FOR THE CITY OF BELLA VISTA, ARKANSAS FOR THE YEAR 2015 TO BE COLLECTED IN 2016. The Mayor began by explaining that this Millage must pass at this meeting in order to certify to the County this week. Mayor Christie explained how the mill increase asked for would affect the homeowners in Bella Vista. At this point Alderman Anderson spoke as to why he does not favor raising the mill rate at this time. His feeling is that the millage increase may well be needed in the near future to stay competitive with the cities compensation for its employees. We need to be more comparable with area towns to keep and draw good employees. Alderman Anderson then made a motion to amend the proposed Resolution to 2.5 mills for General Fund- Operations. Leaving the 1 mill for Fireman's Pensions and 0.5 mills for Policeman's Pensions. Mayor Christie then talked about how he and department heads are working toward improving salaries for 2016. Seconded by Alderman Wozniak. Comments were then made about the fact that this mill rate is something that the Council sets each and every year and can be raised or lowered as needed each year based on the needs of the city. A discussion was held on the time it will take to fix all the roads that have been identified as in need. At this point the vote was taken. Those in favor of amending the Resolution, Alderman Morgan- No, Alderman Flynn- No, Alderman Wozniak- Yes, Alderman Anderson- Yes, Alderman King- Yes. Motion was defeated as it needed 4 affirmative votes to pass. At this point Alderman Flynn made a motion to adopt the Resolution as presented seconded by Alderman Morgan. Roll call vote was taken and the motion carried 5 ayes, 0 nays. Resolution Adopted.

**RESOLUTION R2015-65-** APPROVING A CONTRACT WITH CEI ENGINEERING FOR ENGINEERING SERVICES RELATED TO IMPROVING THE LOWER RIORDAN ROAD CORRIDOR, AND FOR OTHER PURPOSES. Community Development Director Suneson spoke about this contract and what it will entail. Growth in the lower Riordan Road area has caused a need for this corridor improvement. A motion was made by Alderman Anderson, seconded by Alderman Wozniak. Roll Call vote resulted in approval 5 aye, 0 nay.

**RESOLUTION R2015-66-** APPROVING A CONTRACT WITH PLYMOUTH ENGINEERING, PLLC, FOR ENGINEERING SERVICES RELATED TO THE RECONSTRUCTION OF LOWER SUITS US DRIVE, AND FOR OTHER PURPOSES. Again Director Suneson spoke of the need for this study being done. The Mayor talked about the area encompassed in this contract. Discussion was held on the additional feeder for traffic that this will provide in the future. The future of this corridor will be very beneficial to the City. A motion was made by Alderman Anderson, Seconded by Alderman Flynn. Ayes: 5, Nays: 0 Resolution adopted.

**RESOLUTION R2015-67-** A RESOLUTION APPROVING AMOUNTS OF LIENS TO BE CERTIFIED TO THE BENTON COUNTY TAX COLLECTOR AGAINST CERTAIN REAL PROPERTIES AS A RESULT OF GRASS CUTTING EXPENSES AND ABATEMENT OF OTHER NUISANCES BY THE CITY OF BELLA VISTA; AND FOR OTHER PURPOSES.

A Public Hearing was opened to deal with the Liens to be certified. There being no comments the Public hearing was then closed.

An Amendment was made to remove one of the amounts from the list which concerned a property at 2 Basore Ln in the amount of \$59.41. The motion to amend was made by Alderman Anderson, seconded by Alderman Wozniak. That motion passed by a vote of 5 ayes, 0 nays. At this point a motion to approve the Resolution certifying the Tax Liens to be given to the Benton County Tax Collector was made by Alderman Anderson and seconded by Alderman Wozniak. Vote of 5 ayes and 0 nays, Resolution is adopted.

**RESOLUTION R2015-68-** ESTABLISHING FEES FOR CERTAIN PLANNING APPLICATIONS, AND FOR OTHER PURPOSES. Director Suneson talked about the need to establish some planning fees that are needed. This resolution was moved to approve by Alderman Anderson, seconded by Alderman Wozniak. Vote of 5 ayes, 0 nays.

**RESOLUTION R2015-69-** AMENDING THE 2015 CITY BUDGET TO APPROPRIATE AN ADDITIONAL AMOUNT NOT TO EXCEED \$20,000.00 FROM GENERAL FUND RESERVES TO FUND THE PURCHASE OF A REPLACEMENT DUMP TRUCK FOR THE STREET DEPARTMENT. The Mayor talked about an accident involving one of the cities dump trucks. Superintendent Button commented about the fact that he is confident that he can replace this truck for \$20,000.00. The insurance settlement was \$7900.00. Motion to approve was made by Alderman King and seconded by Alderman Wozniak. Vote was 5 ayes, 0 nays.

**RESOLUTION R2015-70-** AMENDING THE MEETING SCHEDULE OF THE BELLA VISTA CITY COUNCIL WORK SESSION AND REGULAR SESSION FOR NOVEMBER 2015. The Mayor explained that the dates of the meetings of the City Council are being moved to avoid conflict with the Thanksgiving Holiday. Motion to approve the schedule change by Alderman Anderson, second by Alderman Morgan. Vote of 5 ayes, 0 nays. Resolution adopted.

**MEETINGS AND ANNOUNCEMENTS:**

- e. **The next City Council Work Session will be Thursday November 12, 2015 @ 5:30PM in the City Hall Conference Room.**
- f. **The next Regular meeting of the City Council, Monday Nov. 16, 2015 at 6:30 PM at the Bella Vista American Legion Hall.**
- g. **Planning Commission Work Session will be Wednesday Oct. 28, 2015 at 4:00PM in the City Hall conference room.**
- h. **Planning Commission Regular Meeting will be Nov. 9, 2015 at 6:30PM in the City Hall Conference room.**
- i. **Public Safety Committee Meeting will be Dec. 9, 2015 at 9:00AM in the City Hall Conference room.**

**ADJOURNMENT – 7:29PM**

City Clerk Wayne Jertson

Mayor Peter Christie